G. R. S. 58]

Previous references.

File No. 570

1907.
(Muzrai)

Serial Nos.
1—8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—8

Part B for Nov 15

SUBJECT.

Subject.

Archakship of Ganapati shrine located within Sri Kesavadevaru temple at Nagamangala.

To, The Deputy Commr. Mysore D

G. O. No. 1087—Muz. 570-09, dated 2nd November 1915

Archakship of the Ganapathi Temple.

Passing orders regarding the — located within the Kesavadevaru temple at Nagamangala.

GPB—10,000—23-3-15

G.R.S.11] 1909.

GENERAL AND REVENUE SECRETARIAT

(Mysore)

NOTES.

File No. 570-09

FILE HEADING.

Archakship of Ganapati temple located in the Kesava Devasa temple at Nagamangala

From

Venkatachala Bhatta alias Appanna Bhatta, Nagamangala

~~No.~~ Petition Dated 23-3-10 Received

Diary No. 1777	Enclos. 2	Spare Copies	Serial No. /

BRIEF ABSTRACT OF LETTER.

Appeals against the mysore Dy Commr's order Dy 29th January 1910 directing that the Archakship in question may be conferred upon the respt Nanjunda Bhatta son of Gunda Bhatta.

NOTES AND ORDERS.

The Aplt states that the Archakship in question is hereditary in his family and that without taking into consideration the documents in his possession, the Dy Commr has appointed the respt

NOTES—First sheet

GPB—30,000—3-1-07

2301 (2

J
and Revenue
Secretariat.

Mug File No. 570 of 1909

Serial No.	
	to the post and prays that the order appealed against may be kept in suspense pending the disposal of his appeal
	Submitted for orders - Cheq upt submitted
	AV 31.3.10 by 4/4/10 — 8/4/1910
	AL: Dft's remarks — Letter as — 8/4/[illegible]
	AV 8/4/10 by 8/4/10
2	To the Dy Commr, Mysore Dist Letter no ~~597~~ 2486 Dy ~~23-6-19~~ 12-4-1910 Forwards Sl 1 for report with records.
	To, Venkatachala Bhatta alias Appanna Bhatta Endt no. 2487 Dy 12-4-1910 Intimates the above
3.	From, the Dy. Commr, Mysore Dist Letter no 594 Dy 23-6-1913 Submits report called for in Sl 2 The Dy. Commrs. report clearly explains the facts of the case. The Dy Commr reports that it is learnt that Appanna Bhatta died on 12th August 1912 - The appellant Subbu himself is dead & no further proceedings in the case may be stopped
	NV (132) 5-8-1913.
	RG 5/8/13

Note—Contn sheet.

GPB—55,000—27-4-10

2366 (3

12]

neral and Revenue Secretariat. | File No. 570 of 1913

Serial No.	
	The death of the appellant does not necessarily abate the proceedings. Has he any representative who is anxious to continue the proceedings. Ascertain from the Dy Comr.
	la 7/8/13
	Submitted with a Dft. Docket
	AV(132) 8/8/1913
	alld 9/8/13
4	To the Dy. Comr. Mysore Dt: No 562 Dy 18.8.13 enquires whether the appellant has any representative who is anxious to continue the proceedings
5.	From the Dy Commr, Mysore Dt Letter no 418 Dy 11.5.1914 Submits further report called for in Serial 4.
	The deceased aplt leaves behind him a brother Dasambhatta and a nephew Venkataramayana Shastry.
	Venkataramayana Shastry states that his uncle Dasambhatta is an employee in the Chamundeswari Temple and would approve of any action taken by him in the matter, that he performed

NOTE—Contn. sheet.

GPB—65,000—17-6-12

S. 12]

General and Revenue Secretariat.

File No. 570 of 1907.

Serial No.

the funeral ceremonies of his deceased uncle & that he is anxious to continue the proceedings. He requests that the date of hearing may be intimated to him.

An English memo in the Vernr. records explains the facts of the case in detail.

If directed, the case will be posted to the 4th Augt. and notices issued to Venkatanarayana Shastry and his opponent Nanjunda Bhatta.

Submd for orders Venkatanarayana Sastry says he will be bound by the action taken by his uncle Dasambhatta. This man may also be summoned if the case is to be posted for personal hearing which may if appd be posted held on 4.8.14

17.7.14

Yes. Post the case to 4th Aug. Issue notices to Dasambhatta and V. Shastry and Respt.

Dft. notices issued

20.7.1914

NOTE—Contn. sheet

GPR—10,000—13-6-14

S. 12]

(2

General and Revenue Secretariat.

File No. 570 of 1909

Serial No.

Subd & Mr. Menzies

The memo (Flag 7) prepared in the Bd Comm's Office examines in detail the documentary evidence in the case. The Bd Comm's decision appears to be based on substantial evidence. The appeal ought to be dismissed.

Rm

Notice returned unserved. Postal Supdt reports that Mr. Menzies has left Kohat.

2.

Submd. with Supdt's notices.

MM(S)
7-8-1914.

CJ

The appellant prays for an adjt. on account of illness. The Respt is present in person. Another opportunity may be given to the appellant for being heard. Another date may be fixed and intimation sent.

Submd. with Supdt. notices

MM(S)
6-10-1915

CJ
Rm
4.11

NOTE—Contn sheet

GPB—10,000—13 6-14

R. S. 12]

General and Revenue Secretariat.

File No. 570 of 1919.

(1)

Serial No.

Submtd. with Dft. notice to Dasambhatta
MMS/
30.1.1915. Dft/
appd
Mss
30/1

Submtd. with Dft. notice to the 2nd March 1915.
MMS/
16.2.1915.
Issue
Mss
16/2

87
16/2

The claim is over

The dispute is a long standing one and the documents relied on by the respondent are all very old ones of which the genuineness cannot be established by direct evidence after this length of time. The Dy Cr has proceeded chiefly on certain presumptions raised in favour of genuineness of documents. If the matter were to be decided on a consideration of evidence as usual in regular Courts, it is not a satisfactory case for the Petr (respondent).

The respondent admits

NOTE—Contn. sheet.

GPR—10,000—13-6-14

Serial No.

that he and his father did not ever perform the Puja of the temple. The inam is apparently registered in the name of the deity and the inam register probably does not contain the name of either of the claimants.

(The docts referred on by the Dy Cr may all be read to me).
2/3/13

According to the Dy Cr's order even the unproved documents produced do not refer to a date later than 1891. The petition of Gundabhatta to Dy Cr was not presented till 1907 — i.e. till after a lapse of about 16 years.

Does Venkata Narasastri represent deceased Apparaubhatta (whose br Narasimhabhatta has not appeared)?

~~If~~ If it had been proved that the lands & the office were leased at the inception to the deceased Apparaubhatta, the burden of proving his title might ~~well~~ be cast on the

NOTE—Contn. sheet.

defendant. But the alleged lease is not forthcoming, and the copy produced is neither authenticated nor shown to be otherwise admissible. It cannot be taken into account. But there is no proof of a lease

The letters said to have been written by Appannabhatta were not admitted by him; and no proof whatever was given to make out their genuineness — not even a comparison of handwriting.

It is true that in cases before the Munz. Dept, ~~there is no rule that the~~ it is not usual or required by any rule that ~~the~~ rules of evidence & procedure shd be strictly applied. But it would be

NOTE—Contn. sheet.

very risky to rights of Parties if such ~~to~~ evidence as is produced in this case is admitted as sufficient to establish ~~claims after~~ such stale claims.

The Dy Cr's order may be reversed & the Pltff's (Respt's) Claim rejected.

26/8/15

The question how far a gift made by Gundabhat's brother to him can be valid has not been considered by the Dy Cr, but from the conclusion that I have arrived at, it becomes unnecessary to decide.

A short order may be drafted & issued.

26/8

DT 27/8/15

NOTE—Contn sheet.

GPB—60 000—7 11 13

10

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

In Rajamangala Ganapathi Arohakship case, the Fair Aff. has been prepared on the lines indicated by the 1st Member. The Member has directed that the Jewel that "the Quam register does not contain the name of either of the claimants should be verified." As personally represented to the Secretary, I did my utmost to get the information informally from the income office; but could not do so, as the office is being shifted from the Public Buildings to [illegible]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29 6-1.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Hd Qr. Office.

A tokanai Offr. Calling for an extract from the Inam register, is herewith submitted. for appl. or other orders.

Submitted.

W (SW) 29. 9. 1915.

Ref. No. 9111, 29-9-15

Inam, the Inam Supdt.

Letter no 46 dy 29. 9. 1915.

Submits the inam extract.

The Inam register does not contain the name of either of the claimants.

A draft order on the lines indicated by the Member is on the file.

Submitted.

MSW 30-9-1915.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29 6-1

(12)

[R. S. 12]

General and Revenue Secretariat.

File No. 570 of 1915.

Serial No.

Put up draft of preamble
Issue draft the note portion
hs
27.8.15.

a.v.

Submitted with a draft of preamble.
hs
AM 28/8/15
7.9.1915.

Subd 5th member
hs
~~30~~ 8.9.15

Subd 5th member
A revised draft on
the lines indicated is submitted.
Extract of Town Register has been
obtained and it is seen that no
names are given therein about the
officiating archaks
hs
30.9.15

Draft appd. with certain alterations
by First member
4.10.15
MCS

Put
5/10/15

See marginal remark
of the member. Issue and let
me know
hs
6/10.

hs
6/10.

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

*. R. S. 12]

General and Revenue Secretariat.

Inz File No. 870 of 1909

Serial No.	
8	No: 1087 dt 2-11-15 - to DC of Mysore, forwarding a copy of the petition of the heirs (respondents) of Ramaswamy the Dy Custn in the
15	

NOTE—Contn. sheet.

GPB—20,000—30-6-15

Muz. 4] No. 2486 encls 3 14

GOVT. OF H. H. THE MAHARAJA
~~Mun 3/5/10~~ OF MYSORE. 09-2

MUZRAI DEPARTMENT. 09/12-4-10

OFFICIAL MEMORANDUM.

No.

The accompanying Appeal Petition No. D 1777 dated 23.3.10 received at this Office from Venkatachala Bhatta alias Appanna Bhatta of Nagamangala appealing against the Dy Commrs. orders re the Archakship of Ganapati temple located in Sri Kesava Devaru temple at the place is forwarded, together with its 2 enclosures, to the Deputy Commissioner of the Mysore District for submission of the entire records connected with the case together with a detailed report thereon.

By Order,

D&E 8/4/1910

BANGALORE, 19

Secretary,
~~Muzrai Department.~~

8/4/10

15

No. 2487 — 9/12-4-10

[illegible] 7. 570-09-2 [illegible]

[illegible]

[illegible]

[illegible] D. 1777 / 23.3.10 [illegible]

[illegible]

By order,
[illegible]
For Secretary,
[illegible]

VII

27/b

DI RV No. 2301

191

19/2-1913
SECTION
FILE No. 570-09
SERIAL No. 3

From The Deputy Commissioner, Kurnool District.

To The Secretary to Govt, Samrai Branch.

Dated 23-6-13.

Despatched 26-6-13.

Received

General No. 597
No.

Enclosure No. Nil

Submits records relating to the archakship of Ganapatti temple at Nagamangala.

Re 597/file b

Dated Mysore 23/26 June

Sir,

I am directed to refer to your

K. R Srinivasaiengar Esqr, M.A.,

Superintendent of Epigraphy

Archaeological Dept.

Nilgiris, Ootacamund

Sir,

With reference to your official memorandum No. 2486/Annex. 2 570-09-2 dated 12-4-1910 and subsequent reminder calling for a report with records on the appeal of Venkatachala Bhatta alias Appanah Bhatta of Nagamangala against this office order re the archakship of Ganapathi temple located in Sri Kesava Devaru temple at this place, I have the

the honor to state as follows:-

The karavardar archak of the Ganapathi in question was one Bhagirathamma after the death of her husband. As she had no issue she made over the archakship in question by a deed of gift to her brother Gundabhatta. This Gundabhatta was living at Seringapatam. He leased the jodi lands endowed to the Ganapathi temple in question to one Lakshminarayana Bhatta who also did puja to the [illegible] Ganapathi. This Lak[illegible]

atta was

Rs 10/- to Gundabhatta.

In course of time this

Lakshminarayana Bhatta tried to

establish exclusive title over the

pujat-- and a- a Complaint

by Gunda Bhatta this Gundabhatta

was reinstated (vide order from

the Amildar pherist no 23). Gunda

Bhatta then leased out the pujahak

to two persons Nanjunda Bhatta

and Kapinipathi Sastri for the same

Consideration as was being paid

by Lakshmi Narayana Bhatta (vide

document pherist no: 28-29)

On the death of these two

persons -

persons the lease was given to
one Vanjinda Bhatta and on his
death to the appellant Venkatachalla
Bhatta alias Appanna Bhatta.
Several letters were written by this
Appanna Bhatta to Gunda Bhatta and
after him to Srikantiah his —
Son-in-law and then to Venkata Subbiah
the eldest Son of the ~~Son~~ Gunda Bhatta
wherefrom it may be learnt that
Appanna Bhatta recognised these
persons as hakdar pujaris of
the Ganapathi.

Several letter papers were
produced by Vanjinda the ~~the~~
the younger son of Gunda Bhatta

which all went to show
that the pujahak of the Ganapathi belonged
to Gunda Bhatta's family.

Thereupon Mr. M. Kantaraj Urs
the then Deputy Commissioner ordered
that the pujahak to be restored
to the heirs of Gunda Bhatta.

It is against the above order
that Appanna Bhatta had
appealed.

It is since learnt that
Appanna Bhatta died on 12.8.1912.

The entire file of papers on the
subject ending with French-Rocks Sub
Divisional Officer's yadi No. 358 of the 18th instant
is herewith submitted for reference

I have the honour to be,
Sir,
Your most obedient Servant

Deputy Commissioner,
Mysore District

G.R.S. 29A]

21

19 .

From

Secy. to the Govt. of His Highness
The Maharaja of Mysore,
Genl. and Rev. Dept.

To

The D C, Mysore Dist.

Dated 18-8-1913

Despatched

Received

General No. 562

Genl. No. 570-09

Enclosure No. 1 file

Adverting to his letter no. 597 dy 23rd June 1913 reporting that Appanna Bhatta of Nagamangala who had appealed to Govt. against the Dy. Comm's. order regarding the Archakship of Ganapati temple located in Sri Kesava Devaru Temple at the place, died on 12th August 1912, has the honor to ~~request to be informed~~ whether the apl.

Orfd 19/2/8

G L B—20 000—24 10 10

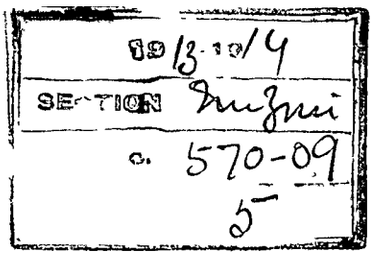
has any representative
who is anxious to continue
the proceedings.

2) The records are ordered by order
for ref. and re-min

Secretary.

5/8/13

ARY No. 2166



VII 145

From 191 4,
The Dy Commissioner
Mysore District

To The Offg: Secretary
to the Govt of Mysore
Gen'l Rev Dept
Mujmi branch

Dated 11th May '14

Despatched

Received

General No. 415
No.

Enclosure No. 1 file

Submitting report re
the archaeology of Ganapatti
temple located in the Sri
Kesavadevaru temple at
Nagamangala.

GPB—50,000—26 9 12

Depty C

Mysore District, Nanjan

Dated Mysore 11th May 1914

No. 415 M.M.

From

A Subramanya Iyer Esqr BA
Deputy Commissioner
Mysore District

To

D M. Narasinga Rao Esqr BA, LL
Offg Secretary to the Govt of
H H the Maharaja of Mysore
Gen & Rev Departments
Mysore Branch

Sir,

Adverting to your docket No. 562 Mnj
S 70--07-1, dated 18th August 1913 enquiring
whether Appanna bhatta of Nagamangala
who has appealed to Government against
this office order, regarding the Archakship
of Gomapatha temple located in Sri
Kesava devara temple at the place, has
any representative who is anxious to
continue the proceedings, I have the
honor to state that the appellant has
a brother Dasambhatta, and a nephew
Venkatnarayya, a Sastry who in his state
ment (gone to Shekpur has stated that

performed the funeral ceremonies &
of his uncle and is anxious to prose-
cute the claim for the archakship under
reference. It is learnt from the corres-
-pondence that all these people were
living as members of an undivided
family, that the deceased appellant
has no issue and no relatives other
than the above. Venkata narayana Murthy
has also stated that his uncle Dasambhatta
is an employee of the Channudeswari
Temple on the Chamundi hills in the
Mysore Taluk and would approve of
any action taken by him in the matter
of the appeal. He request that the date
of hearing may be intimated to him.

The yadast ending with French Rocks
Subdivision officer's yadi no 238/627 dated
22nd January 1914 is submitted herewith
for reference

I have the honor to be
Sir
Your most obedient servant

Deputy Commissioner
Mysore District

KV

25

G.R.S. 26]

SUBJECT: Calls for an extract from the Inam register

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the 191 .

Date of issue 28-9-15

Signed by

Section

File No.

Serial No.

No. 917

Rev. 570-07-6

To

The Superintendent of Inam settlement & Inspector.

Sir,

I am directed to request that you will be so good as to furnish this office before the 30th September 15, with an extract from the detailed inam register pertaining to the grant under Title deed no. 101/1867, of inam lands in Nagamangala

over

S.no.	extent A. G.	assessment R. A-P
335 -	1-0	5-8-0
408	0-18	0-12-0
	1-20	7-12-0
	2-38	14-0-0

Village, for the up-keep of
Vinayaka Devar at ~~Kattan~~
Nagamangala.

I have etc.

for Rev. Secretary

List of enclosures.

Copied by

Examined by

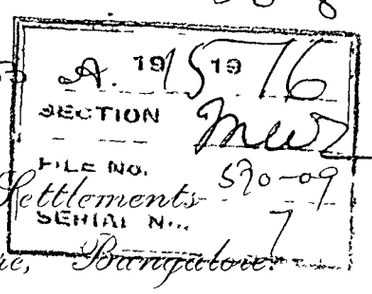
GPB—20,000—11 2 11

27

No. 46
Enc. one

Office of the Superintendent of
Inam Settlements in Mysore,
Dated Bangalore, 29 Sept 1915.

DIARY No 5558



From D K. Darashah Esqr., B
~~D. Shama Rao, Esq.,~~
Superintendent of Inam Settlements
in Mysore, ~~Bangalore.~~

To

V. R. Iyagaraja Iyer Esqr m

Secretary to the Government of
H. H. the Maharaja of Mysore,
~~Genl. and~~ Rev. Depts.

Sir,

As requested in your letter No 917 amur 570-09 dated 28 September 1915. I have the honor to forward herewith a copy of the Inam Register of the lands belonging to Sri vinayaka Devar at Nagamangala in Nagamangala village, Mysore District.

I have the honor to be
Sir,
your most obedient Servant.
D K Darashah
Superintendent of
Inam Settlements.

GPB—300—23 9 16

Copy. Register of Inams in the village of N

CLASS, EXTENT AND VALUE OF INAM

Number of case or entire holding under one grant in this village	General class to which the Inam belongs	Survey No. and name of field or fields comprised in the grant Dry, wet or garden	Extent	
			Local measure Even where the local measure is in acres, guntas, and annas, it is to be entered in this column	Measure in acres and their fractions in decimals
1	2	3	4	5
1.	Devasthanam.	Wet Nos 312 412	H. garry account of 1802. — Krishi: k c p 1 — 3 — 4	

mat of Naganayaka in the Taluk of Nagamangala

		DESCRIPTION, TENURE AND	
Old assessment	Survey assessment	Description of Inam If for service, it is to be stated whether the service is continued. If for tanks, buildings, etc., whether they are efficiently kept up Hereditary or for life	Whether free of tax, etc., or liable to quit-rent, *i. e.*, jodi, etc., amount of latter to be entered
Where no survey has been made and no assessment fixed by Government, the cess paid by the raiyats to the Inamdar, or the average assessment of similar Government land, should be entered in column 7			
6	7	8	9

Beriz
P Fl V Rs a p
1-6-0 4-10-6

For the Support of Gopara Bagalu Vinayaka and Vahana Mantapada Vinayaka Devaroo's temples in this village. The pagodas are in good order and pooje performed once every day.

Goda
P. Fl V Rs a p
1-3-0 3-12-6

Paid from the year 1852.

in

DOCUMENT IN SUPPORT OF THE IN

By whom granted and in what year	Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, etc., and the general specification of terms of all documents produced should be given
10	11

NAME AND RELATIONSHIP OF ORIGINAL GRANTEE AND

Name of original grantee	Name entered in the register prepared by Poorniah up to 1810	Name entered in the accounts subsequent to 1810
12	13	14

H. J. account of 1802. — Vinayaka devast. K-C/p p 71 V hel 1-3-a 1-6-a

H. J. acct: of 1819. Vinayaka hel- K C h p 71 V 1-3-a 1-6-a

H. J. acct: of 1832 Same as above.

H. J. acct of 1855 Same as above

of the

OF SUBSEQUENT AND PRESENT HOLDERS

Particulars regarding present owner. If the inam has been sub-divided, the name, etc., of each sharer should be entered in the columns.

Residence, name and age, etc.	Relation to original grantee or subsequent registered holders	Surviving heirs of the present incumbent	If unconnected with the original holders, possession how obtained, and in what year
15	16	17	18
Rajamangala			
Vinayaka	"	"	"
Devaroo's			
Manager Protem.			

Division

GPB—'00—29-3-08

LENGTH OF POSSESSION

Abstract of the orders already issued by the Commissioner or the Superintendent of the Division on lapses regarding validity or excess of the Inam. Assistant's opinion and recommendation	Review by the Special Assistant and confirmation by the Inam Commissioner
19	20

Complete grant. Valid under the Rules.

As per account of 1802 accepted.

The extent in Col: 4 to be confirmed on the yearly Rupees 400. So long as the object of the grant is fulfilled. I. I. D. Compulsory.

1. Confirmed.
Counter Sd- by
Robt Cole
Supdt of I.S
D/- 11-5-80.

Sd/- D. Varadaraja Rao
asst
D/- 29/4/79.

-Copy-

Compd. 1/8
Bangalore
Dated 29.9.15.

V Bhadrak
Supdt of Inam Settlt
in Mysore

From

The Superintendent,
Inam Settlements
in Mysore.

To

The Secy. to the Govt. of
H. H. the Maharaja of Mysore,
~~*Genl. &*~~ *Rev. Depts.*

Dated

Despatched 29 September 1915

No. 46

Enc. one

SUBJECT.

Forwards a Copy of Inam Register as requested ——

3 nos

75

Before the

Appeal No. of

Appellant. Vs. Respondent.

Venkatanarayana Shastry nephew of Venkatachala Bhatta alias Appanna Bhatta (since deceased) Narasimha Bhatta.

Subject.

Archakship of Ganapati Shrine located within Sri Kesava Devaru Temple at Nagamangala.

Facts of the Case.

Within the Temple of Sri Kesava Devaru at Nagamangala, there are two Ganapati Shrines which are endowed with a separate land inam of the extent of 2-$\frac{9}{38}$ and assessed at ~~Rs~~ 14-0-0. The puja of the

GPB—500—12-8-15

shrine is conducted
Smartha archak and the
last Baravardar was
Vanja Ninga Bhatta. On
his death, his wife Bhagirthamma
disherited. The Puja right and
being without issue, she
is alleged to have transferred
the ~~puja~~ right by a
deed of gift to her brother
the father of the respondent
Nanjunda Bhatta.

Sunda Bhatta being
a resident of Seringapatam
the puja at the Ganapati
Shrine ~~came to be~~ was being conducted
by a succession of Archaks
the last of whom was
Venkatachala Bhatta alias
Appanna Bhatta, the original
appellant who is since
dead.

In 1907, Nanjunda
Bhatta, the son of Sunda
Bhatta applied to the Deputy
Commissioner ~~praying~~ for

Refer to original
Record
Vide

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The restoration to him of the Temple lands together with the puja right ~~on the score~~ as, ~~that~~ Appanna Bhatta had not been paying him the stipulated rent for a series of years. An enquiry was made and the restoration of the office and its emoluments was ordered by the Dy Comm^r in his order no 782 of 29th January 1910 Against ~~this order~~ ~~this appeal was rejected~~ presented by his predecessor this appeal. Appanna Bhatta ~~he having~~ died pending disposal ~~of the appeal~~, his nephew Venkatanarayana Shastri was brought on the records as his representative.

Appanna Bhatta ~~he~~ appealed against this order and as he

The case was heard before Govt on 2^d March 1915

both the appellant and the respondent being present in person.

Decision

The dispute is a long-standing one and the documents relied on by the respondent are all very old ones of which the genuineness cannot be established by direct evidence after this length of time. The Dy. Commr has proceeded chiefly on certain presumption raised in favor of genuineness of documents, but this is not a satisfactory way of dealing with such a case.

The respondent admits that he and his father did not ever perform

GPB—20,000—16-2-14

G.R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

the puja of the Temple. The inam is registered in the name of the deity and the inam register does not contain the name of either of the claimants.

According to the Dy. Commrs. order even the unproved documents produced do not refer to a date later than 189. The petition of Sunder Bhatta to Dy. Commr. was not presented till 1907 i.e. till after a lapse of about 16 years.

If it had been proved that the lands and the office were leased at the inception to the deceased Appanna Bhatta, the burden of proving his title might be cast on the defendant. But there is no proof of such a

The letters said to have been written by Appanna Bhatta were not admitted by him; and no proof whatever was given to make out their genuineness – not even a comparison of handwriting. It would be very risky to rights of parties if such evidence as is produced in this case is admitted as sufficient to establish such stale claims.

The Dy. Comm's. order is reversed and the petitioner's (respondent's) claim rejected.

No. Dy. 1087/5770-8 8/10
mus Dy 2.11.15 Submtd. The order may be printed.

Copy is forwarded to the Dy. Comr., Mysore Dist., returning the records received with his letter No. 418 Dy 11th May 1914.

20.9.15 8/10

14/10/15

By order.
20/9/15
Asst. Secretary.

GPB—20,000—16-2 14

35

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE
MAHARAJA OF MYSORE.

Appeal No. of

Appellant	Vs.	Respondent.
Venkatanarayana Shastry nephew of Venkatachala Bhatta alias Appanna - Bhatta (Since deceased)		Nanjunda Bhatta.

Subject.

Archakship of Ganapati shrine located within Sri Kesava Devaru temple at Nagamangala.

Facts of the case.

Within the temple of Sri Kesava Devaru at Nagamangala, there are ~~to~~ two Ganapati shrines which are endowed with a separate land inam of the extent of 2 acres 38 guntas and assessed at Rs.14-0-0 The puja of the shrines is conducted by a smartha archak and the last - Baravardar was Nanja Ninga Bhatta. On his death, his wife Bhagirthamma inherited the puja right and being without issue, she is -- alleged to have transferred the right by a deed of gift to her ~~brothe~~ brother Gunda Bhatta, the father of the respondent Nanjunda Bhatta.

Gunda Bhatta being a resident of Seringapatam the puja at the Ganapati shrine was being conducted by a succession of Archaks the last of whom was Venkatachala Bhatta alias Appanna Bhatta, the ----- original appellant who is since dead.

In 1907, Nanjunda Bhatta, the son of Gunda Bhatta, applied to the Deputy Commissioner for the restoration to him of the temple - lands together with the puja right, as Appanna Bhatta had not been -

been paying him the stipulated rent for a series of years. An enquiry was made and the restoration of the office ~~and~~ with its emoluments was ordered by the Deputy Commissioner in his order No.782 dated 29th January 1910. Appanna Bhatta appealed against this order and as he died pending its disposal his nephew Venkatanarayana Shastri was brought on the record as his representative.

The case was heard before Government on 2nd March 1915 -- both the appellant and the respondent being present in person.

Decision.

The dispute is a long standing one and the documents relied on by the respondent are all very old ones of which the genuineness cannot be established by direct evidence after this length of time. The Deputy Commissioner has proceeded chiefly on certain presumption raised in favor of the genuineness of documents, but this is not a satisfactory way of dealing with such a case.

The respondent admits that he and his father did not ever perform the puja of the temple. The inam is registered in the name of the deity and the inam register does not contain the name of either of the ~~the~~ claimants.

According to the Deputy Commissioner's order even the unproved documents ~~&~~ produced ~~them~~ do not refer to a date later than 1891. The petition of Gunda Bhatta to the Deputy Commissioner was not presented till 1907 i.e., till after a lapse of about 16 years.

If it had been proved that the lands and the office were leased at the inception to the deceased Appanna Bhatta, the burden of proving his title might be cast on the defendant. But there is no proof of a lease.

The letters said to have been written by Appanna Bhatta were not admitted by him; and no proof whatever was given to make out

out their genuineness - not even a comparison of handwriting. It would be very risky to rights of parties if such evidence as is produced in this case is admitted as sufficient to establish such stale claims.

The Deputy Commissioner's order is reversed and the petitioner's (respondent's) claim rejected.

Memo No. Dated,

Copy is forwarded to the Deputy Commissioner, Mysore District returining the records received with his letter No.418 dated 11th -- May 1914.

By order,

Secretary to Government,
Revenue Department.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. 1087—Muz. 570-09, dated 2nd November 1915

Archakship of the Ganapathi Temple.

Passing orders regarding the — located within the Kesavadevaru temple at Naganamangala.

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No. 1087—Muz. 570-09, dated 2nd November 1915.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Appellant	vs.	*Respondent*
Venkatanarayana Sastri, nephew of Venkatachala Bhatta *alias* Appanna Bhatta (since deceased).		Nanjunda Bhatta.

Subject.

Archakship of Ganapati shrine located within Sri Kesavadevaru temple at Nagamangala.

Facts of the Case.

Within the temple of Sri Kesavadevaru at Nagamangala, there are two Ganapati shrines which are endowed with a separate land inam of the extent of 2 acres, 38 guntas and assessed at Rs. 14-0-0. The puja of the shrines is conducted by a Smartha archak and the last Baravardar was Nanja Ninga Bhatta. On his death, his wife Bhagirthamma inherited the puja right and being without issue, she is alleged to have transferred the right by a deed of gift to her brother Gunda Bhatta, the father of the respondent Nanjunda Bhatta.

Gunda Bhatta being a resident of Seringapatam the puja at the Ganapati shrine was being conducted by a succession of archaks, the last of whom was Venkatachala Bhatta *alias* Appanna Bhatta, the original appellant, who is since dead.

In 1907, Nanjunda Bhatta, the son of Gunda Bhatta, applied to the Deputy Commissioner for the restoration to him of the temple lands together with the puja right, as Appanna Bhatta had not been paying him the stipulated rent for a series of years. An enquiry was made and the restoration of the office with its emoluments was ordered by the Deputy Commissioner in his order No. 782, dated 29th January 1910. Appanna Bhatta appealed against this order and as he died pending its disposal, his nephew Venkatanarayana Sastri was brought on the record as his representative.

The case was heard before Government on 2nd March 1915, both the appellant and the respondent being present in person.

Decision.

The dispute is a long standing one and the documents relied on by the respondent are all very old ones of which the genuineness cannot be established by direct evidence after this length of time. The Deputy Commissioner has proceeded chiefly on certain presumption raised in favor of the genuineness of documents, but this is not a satisfactory way of dealing with such a case.

The respondent admits that he and his father did not ever perform the puja of the temple. The inam is registered in the name of the deity and the inam register does not contain the name of either of the claimants.

According to the Deputy Commissioner's order even the unproved documents produced do not refer to a date later than 1891. The petition of Gunda Bhatta to the Deputy Commissioner was not presented till 1907, *i.e.*, till after a lapse of about sixteen years.

If it had been proved that the lands and the office were leased at the inception to the deceased Appanna Bhatta, the burden of proving his title might be cast on the defendant. But there is no proof of a lease.

The letters said to have been written by Appanna Bhatta were not admitted

by him; and no proof whatever was given to make out their genuineness not even a comparison of handwriting. It would be very risky to rights of parties if such evidence as is produced in this case is admitted as sufficient to establish such stale claims.

The Deputy Commissioner's order is reversed and the petitioner's (respondent's) claim rejected.

Memo No. 1087—Muz. 570-09, dated 2nd November 1915.

Copy is forwarded to the Deputy Commissioner, Mysore District, returning the records received with his letter No. 418, dated 11th May 1914.

By Order,

for *Secy. to Govt., Rev. Dept.*